

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN THE MATTER OF:

Khalil Hojeij,
Salam Debouk,

Debtors.

Bankruptcy Case No. 20-42196
Honorable Phillip J Shefferly
Chapter 7

_____/

MOTION FOR PRODUCTION OF DOCUMENTS
PURSUANT TO FED. R. BANKR. P. 2004

The Chapter 7 Trustee, Michael A. Stevenson by his counsel, Stevenson & Bullock PLC, moves this court for an Order for Production of Documents Pursuant to Fed. R. Bankr. P. 2004. (See Exhibit 1).

IN SUPPORT of the motion, the Trustee states:

JURISDICTION

1. This motion is brought pursuant to Fed. R. Bankr. P. 2004, E.D. Mich. L.B.R. 2004-1, and F.R.Bankr.P. 9014 and E.D. Mich. L.B.R. 9014 for an order requiring the Debtor to produce documents.

2. This court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and this is a core proceeding pursuant to 28 U.S.C. § 157(a) and (b).

FACTS

3. On February 17, 2020, Khalil Hojeij and Salam Debouk (the “Debtors”) filed a voluntary petition under Chapter 7 of the Bankruptcy Code.

4. Michael A. Stevenson (the “Trustee”) is the duly appointed Chapter 7

Trustee of the estate of the Debtors.

5. On April 27, 2020, the Trustee requested documentation and information related to the Debtors' financial affairs.

6. Between April 28, 2020 and May 14, 2020, the Debtors' counsel provided some, but not all of the documents; a review of the documents that were produced resulted in the Trustee determining that, in addition to the outstanding documents from the April 27th request, there were additional documents now needed, including closing documents for the sale of real property located at 6725 Cronin Dr., Dearborn Heights, MI which the debtor Khalil Hoeij transferred to Youssef Jojeij and Nadia Saab on October 16, 2019 but failed to disclosed on the Debtors' Statement of Financial Affairs.

7. Records produced to the Trustee to date make it impossible for the Trustee to complete his due diligence regarding the Debtors' financial affairs.

ARGUMENT

8. It is necessary for the Trustee to obtain the records described in the proposed order in order to investigate the value of the bankruptcy estate's interest in the assets of the Debtors, any potential preferential and/or fraudulent transfers, and any other assets of the bankruptcy estate.

9. This court has authority to compel the production of records pursuant to Fed. R. Bankr. P. 2004.

WHEREFORE, the Trustee requests that this Court enter an order requiring

Khalil Hojeij and Salam Debouk to produce and turn over to the Trustee the records identified in the proposed order attached hereto as Exhibit 1.

Respectfully submitted:

STEVENSON & BULLOCK, P.L.C.

/s/ Sonya N. Goll (P61136)

Sonya N. Goll

Attorney for Trustee

26100 American Dr., Suite 500

Southfield, MI 48034

(248) 354-7906

sgoll@sbplclaw.com

Dated: May 21, 2020

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ORDER GRANTING MOTION FOR PRODUCTION OF DOCUMENTS
PURSUANT TO FED. R. BANKR. P. 2004

This matter having come before the Court upon the Chapter 7 Trustee's Motion for Production of Documents Pursuant to Fed. R. Bankr. P. 2004; notice having been given pursuant to applicable bankruptcy rules; no objection or request for hearing having been made or filed in response thereto; and the Court being duly advised in the premises:

IT IS HEREBY ORDERED that Trustee's Motion for Production of Documents Pursuant to Fed. R. Bankr. P. 2004 is granted.

IT IS FURTHER ORDERED that Khalil Hojeij and Salam Debouk (the "Debtors") shall produce and turn over the financial records and other documents identified below in their possession, custody, control or obtainable upon reasonable efforts, to the Chapter 7 Trustee counsel, Sonya N. Goll, at the law firm of Stevenson & Bullock PLC, 21600 American Dr., Ste. 500, Southfield, MI 48034 before June 19, 2020:

1. A legible copy of the recorded deed to the real property located at 3801 Syracuse, Dearborn;

2. Copies of the Chase savings account statements for the savings account on Schedule B for November 19, 2019 through February 17, 2020;
3. closing documents for the sale of real property located at 6725 Cronin Dr., Dearborn Heights, MI;
4. Statements for any and all financial accounts in Lebanon in the name of either debtor or held for either debtor for February 17, 2018 through February 17, 2020;
5. A list of all real and personal property held in Lebanon;
6. A sworn to affidavit detailing the following related to the Chase checking account ending in 9719:
 - a. Where did the fund for following cash deposits come from and what were they for:
 - i. 6/20/19 - \$1,210.00 and \$20.00;
 - ii. 7/5/19 - \$180.00;
 - iii. 8/29/19 - \$851.68 from Manu Life – RPS; and
 - iv. 12/6/19 - \$16,038.57
 - b. An accounting of the following withdrawals:
 - i. 6/21/19 - \$1,200.00;
 - ii. 6/28/19 - \$104.50 and \$104.50;
 - iii. 7/3/19 - \$204.00;
 - iv. 7/5/19 - \$104.00 and \$104.00;
 - v. 7/29/19 - \$204.00;
 - vi. 11/1/19 - \$64.00 and \$64.00;
 - vii. 11/29/19 - \$260.00, \$104.50, \$104.50, and \$84.50;
 - viii. 12/9/19 - \$6,500.00 and \$204.00;
 - ix. 12/16/20 - \$4,500.00
 - c. What were the following payments/wiretransfers for:
 - i. 7/15/19 - \$318.00 to Sandpiper Property, LLC (payment); and
 - ii. 12/10/19 - \$260.00 to Societe Generale De Banque au Liban Beirut Lebanon (wire transfer)
 - d. Who are Gihad Khalil, Zeinab Hojeij, and Zee JPM
7. A sworn to affidavit providing an accounting detailing what happened to the \$16,000.00 insurance settlement disclosed on the statement of financial affairs.

IT IS FURTHER ORDERED that if the Debtors are unable to produce any of the above required documents, the Debtors shall file with the Court an affidavit

detailing which documents were not produced and explaining why they were not produced and what steps the Debtors took to provide the documents. If, upon review of the affidavit, the Trustee is still unsatisfied with the Debtors' lack of production of documents, or if the Debtors fails to provide any of the above required documents and fails to file the affidavit, the Trustee shall file an affidavit and the Court may immediately schedule a hearing to determine the adequacy of the Debtors' explanation, the Debtors' failure to produce the required documents, if the Debtors should be held in contempt of court, and if sanctions, including, but not limited to, attorney fees and costs should be assessed against the Debtors and/or the Debtors' counsel.

EXHIBIT 1

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
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IN THE MATTER OF:

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NOTICE OF TRUSTEE'S MOTION FOR PRODUCTION OF DOCUMENTS
PURSUANT TO FED. R. BANKR. P. 2004

The Trustee, Michael A. Stevenson, by and through his counsel, Stevenson & Bullock, P.L.C. has filed a Motion for Production of Documents Pursuant to Fed. R. Bankr. P. 2004.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought by Trustee, or if you want the court to consider your views on the Motion, **within 14 days**, you or your attorney must:

1. File with the court a written response or an answer, explaining your position at:

United States Bankruptcy Court, 211 W. Fort Street, 17th Floor, Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must mail a copy to:

**Sonya N. Goll, 26100 American Dr., Suite 500 Southfield, MI 48034; and
Office of the U.S. Trustee, 211 W. Fort Street, Suite 700, Detroit, MI 48226.**

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the Motion and you will be served with a notice of the date, time and locations of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the Motion and may enter an order granting relief.

May 21, 2020

/s/ Sonya N. Goll
Attorney for the Trustee
26100 American Dr., Suite 500
Southfield, MI 48034
(248) 354-7906
sgoll@sbplclaw.com

Exhibit 2

UNITED STATES BANKRUPTCY COURT
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PROOF OF SERVICE

Sonya N. Goll of Stevenson & Bullock, P.L.C., hereby certifies that on the 21st day of May, 2020, a copy of **Trustee's Motion for Production of Documents Pursuant to Fed. R. Bankr. P. 2004, a Proposed Order Granting Motion for Production of Documents Pursuant to Fed. R. Bankr. P. 2004, Notice of Motion for Production of Documents Pursuant to Fed. R. Bankr. P. 2004**, and this **Proof of Service** was served electronically and/or by placing same in an envelope with sufficient postage thereon, and depositing same in a United States mail receptacle in the City of Southfield, State of Michigan to:

Office of the United States Trustee	Michael Benkstein, at mbenkstein@joumanakayrouz.com
Michael A. Stevenson, at mstevenson@sbplclaw.com	

/s/ Sonya N. Goll (P61136)
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